

# Exhibit A8

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

IN RE: NEW ENGLAND )  
COMPOUNDING PHARMACY, INC. )  
PRODUCTS LIABILITY LITIGATION )  
 ) MDL No. 1:13-md-2419-FDS  
 )  
This Document Relates to: )  
 )  
All actions pending against Saint Thomas )  
Outpatient Neurosurgical Center, LLC, )  
and its affiliates including: )  
 )  
1:13-cv-12234-FDS May et al v. )  
Ameridose, LLC et al )  
1:13-cv-12238-FDS Carman et al v. )  
Ameridose, LLC et al )  
1:13-cv-12305-FDS Wiley et al v. )  
Ameridose, LLC et al )  
1:13-cv-12311-FDS Schulz et al v. )  
Ameridose, LLC et al )  
1:13-cv-12315-FDS Hester et al v. )  
Ameridose, LLC et al )  
1:13-cv-12426-FDS Davis et al v. )  
Ameridose, LLC et al )  
1:13-cv-12429-FDS Bequette et al v. )  
Ameridose, LLC et al )  
1:13-cv-12430-FDS Norwood et al v. )  
Ameridose, LLC et al )  
3:13-cv-00918 Ziegler et al v. Ameridose, )  
LLC et al )  
3:13-cv-00919 Martin v. Ameridose, LLC )  
et al )  
3:13-cv-00923 Reed v. Ameridose, LLC et )  
al )  
3:13-cv-00929 Brinton v. Ameridose, LLC )  
et al )  
3:13-cv-00930 Lovelace v. Ameridose, )  
LLC et al )  
3:13-cv-00931 Ragland v. Ameridose, LLC )  
et al )  
3:13-cv-00932 Slatton et al v. Ameridose, )  
LLC et al )  
3:13-cv-00933 Rybinski v. Ameridose, )  
LLC et al )

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3:13-cv-00934 Lemberg et al v. )  
Ameridose, LLC et al )  
3:13-cv-00935 Ruhl et al v. Ameridose, )  
LLC et al )  
3:13-cv-00938 McElwee v. Ameridose, )  
LLC et al )  
3:13-cv-00940 Robnett et al v. Ameridose, )  
LLC et al )  
3:13-cv-00941 Sharer et al v. Ameridose, )  
LLC et al )  
3:13-cv-00942 Johnson et al v. Ameridose, )  
LLC et al )  
3:13-cv-00943 Knight v. Ameridose, LLC )  
et al )  
3:13-cv-00951 Knihtila v. Ameridose, LLC )  
et al )  
3:13-cv-00952 Sellers et al v. Ameridose, )  
LLC et al )  
3:13-cv-00953 Barger et al v. Ameridose, )  
LLC et al )  
3:13-cv-00954 Lodowski et al v. )  
Ameridose, LLC et al )  
3:13-cv-00961 Skelton et al v. Ameridose, )  
LLC et al )  
3:13-cv-00962 Chambers et al v. )  
Ameridose, LLC et al )  
3:13-cv-00963 Hill et al v. Ameridose, )  
LLC et al )  
3:13-cv-00964 Mathias v. Ameridose, LLC )  
et al )  
3:13-cv-00965 Settle et al v. Ameridose, )  
LLC et al )  
3:13-cv-00966 Miller v. Ameridose, LLC )  
et al )  
3:13-cv-00967 Noble et al v. Ameridose, )  
LLC et al )  
3:13-cv-00968 Eggleston et al v. )  
Ameridose, LLC et al )  
3:13-cv-00969 Meeker et al v. Ameridose, )  
LLC et al )  
3:13-cv-00970 Scott et al v. Ameridose, )  
LLC et al )  
3:13-cv-00971 McCullouch et al v. )  
Ameridose, LLC et al )  
3:13-cv-00972 McKee et al v. Ameridose, )  
LLC et al )  

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3:13-cv-00973 Kirby v. Ameridose, LLC et al )  
3:13-cv-00975 Richards v. Ameridose, LLC et al )  
3:13-cv-00977 Youree et al v. Ameridose, LLC et al )  
3:13-cv-00978 Koonce et al v. Ameridose, LLC et al )  
3:13-cv-00979 Pelters et al v. Ameridose, LLC et al )  
3:13-cv-00984 Besaw et al v. Ameridose, LLC et al )  
3:13-cv-00985 Ferguson et al v. Ameridose, LLC et al )  
3:13-cv-00986 Hurt et al v. Ameridose, LLC et al )  
3:13-cv-00987 Wanta et al v. Ameridose, LLC et al )  
3:13-cv-00988 Russell et al v. Ameridose, LLC et al )  
3:13-cv-00989 Pruitt et al v. Ameridose, LLC et al )  
3:13-cv-00992 Young v. Ameridose, LLC et al )  
3:13-cv-00993 Sullivan et al v. Ameridose, LLC et al )  
3:13-cv-01033 Barnard v. Ameridose, LLC et al )  
3:13-cv-01032 Berry v. Ameridose, LLC et al )

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**PLAINTIFFS' STEERING COMMITTEE'S FIRST SET OF INTERROGATORIES  
TO SAINT THOMAS OUTPATIENT NEUROSURGICAL CENTER, LLC**

The Plaintiffs' Steering Committee, pursuant to Federal Rules of Civil Procedure 26 & 33, respectfully propounds these Interrogatories to Saint Thomas Outpatient Neurosurgical Center, LLC to be answered within the time prescribed by law.

**DEFINITIONS**

As used herein, the following terms mean:

“Saint Thomas Neurosurgical” means Saint Thomas Outpatient Neurosurgical Center, LLC.

“You” or “your” refer to Saint Thomas Neurosurgical.

“Howell Allen Clinic” means Howell Allen Clinic A Professional Corporation.

“NECC” means New England Compounding Pharmacy, Inc. d/b/a New England Compounding Center.

“MPA” means methylprednisolone acetate.

“Dr. Culclasure” means John Culclasure, M.D.

“Ms. Schamberg” means Debra Schamberg, R.N.

“St. Thomas Hospital” means Saint Thomas West Hospital, formerly known as St. Thomas Hospital.

#### INTERROGATORIES

1. Explain how and why Saint Thomas Neurosurgical personnel decided to purchase compounded medications from the NECC, identify each and every individual involved in the decision, and describe each and every step in the decision making process.

#### RESPONSE:

2. Identify each communication (including face-to-face, telephone, email, or other communications) between NECC (including its agents, employees or representatives) and Saint Thomas Neurosurgical (including its agents, employees or representatives). For each communication identified, please provide the following information:

- a) the names, job titles, and contact information for each person involved in the communication;
- b) the date, time, length, mode and location of each communication or discussion;
- c) whether any notes, memoranda, recordings, writings or other records were kept of any of those conversations or communications; and
- d) state as specifically as possible what each party to the communication or conversation said and state what actions Saint Thomas Neurosurgical took, if any, as a result of each communication or conversation.

RESPONSE:

3. Please list the date, location, and attendees present at each and every meeting (business or social) between or among NECC (including its agents, employees or representatives) and Saint Thomas Neurosurgical (including its agents, employees or representatives).

RESPONSE:

4. List each and every communication (including emails, conversations, meetings, memos, etc.) that occurred before September 18, 2012 between you, on the one hand, and Martin Kelvas, Carmine Leffler, St. Thomas Hospital, the St. Thomas Hospital pharmacy department, Saint Thomas Health, and/or Saint Thomas Network, on the other hand, regarding compounding

pharmacies, acquiring medication from compounding pharmacies, NECC (including its agents and representatives), and/or the acquisition of injectable steroids. For each such communication, please specify the parties to the communication, the date of the communication, the mode of the communication, and the content of the communication.

RESPONSE:

5. How much did Saint Thomas Neurosurgical pay per vial for MPA that it purchased from NECC in 2012?

RESPONSE:

6. Please list every company, manufacturer, compounder or distributor from whom Saint Thomas Neurosurgical purchased any steroid used in epidural steroid injections since January 1, 2008. Please specify the date of each purchase, the quantity ordered, and how much Saint Thomas Neurosurgical paid for each vial of injectable steroid.

RESPONSE:

7. Describe each and every action that Saint Thomas Neurosurgical took in order to ensure that MPA injected into patients was safe and free from contaminants.

RESPONSE:

8. Describe in detail every gift, sample, incentive, promotion, thank you gift, and/or discount that Saint Thomas Neurosurgical (or anyone associated with it) ever received from NECC (including its agents, employees or representatives) or any wholesaler or distributor of any injectable steroid.

RESPONSE:

9. Identify each Saint Thomas Neurosurgical employee during 2012 by name and job title, and state whether each such employee is still employed by the company. Please also give a general description of the duties of each such person.

RESPONSE:

10. Please identify every employee or member of Howell Allen Clinic who performed any duties or functions for Saint Thomas Neurosurgical during 2012, and for each such person, please state:

- a) the person's name, job title and contact information;
- b) a description of the duties or functions performed; and
- c) a statement of whether the person continues to be employed by or affiliated with either Howell Allen Clinic and/or Saint Thomas Neurosurgical.

RESPONSE:

11. Please identify every employee or agent of Saint Thomas Health, Saint Thomas Network, and/or St. Thomas Hospital who performed any duties or functions for Saint Thomas Neurosurgical, and for each such person, please state:

- a) the person's name, job title and contact information;
- b) a description of the duties or functions performed; and
- c) a statement of whether the person continues to be employed by or affiliated with either Saint Thomas Health and/or Saint Thomas Neurosurgical.

RESPONSE:

12. Explain in detail Saint Thomas Neurosurgical's policies and procedures regarding the purchase of medications.

RESPONSE:

13. Please describe in detail all systems, policies and procedures used at Saint Thomas Neurosurgical in order to evaluate compounding pharmacies from which it purchased medications.

RESPONSE:

14. Please describe in detail (including names and dates) the extent to which anyone associated with Saint Thomas Neurosurgical consulted with any pharmacist or hospital pharmacy department regarding whether to purchase medications from NECC in particular or compounding pharmacies in general.

RESPONSE:

15. Does Saint Thomas Neurosurgical contend that any other person or entity is responsible or caused the injuries and deaths that are the subject of this litigation? If so, identify each such person or entity and state the factual basis for a contention that any other person or entity was responsible for or caused the injuries and deaths forming the basis of this litigation.

RESPONSE:

16. State the name and address of any expert witness who you expect to call at the trial of this cause, and for each and every such expert witness, please provide all information and material required by Fed. R. Civ. Pro. 26(a)(2)(B).

RESPONSE:

17. State the name and address of any person who you expect to offer opinion testimony at the trial of this case, irrespective as to whether such individual is an "expert" as defined by Fed. R. Civ. Pro. 26. With respect to each such individual, please state their name and address, the subject matter on which the individual is expected to testify, the substance of the

facts and opinions to which the individual is expected to testify and a summary of the grounds for each opinion.

RESPONSE:

18. State the full name, address, telephone number, job title and employer of each and every person believed by Saint Thomas Neurosurgical to have knowledge of facts regarding the claims asserted in this litigation, any defenses thereto, and/or any issues germane to this litigation. Please include any person believed to have knowledge of rebuttal or impeachment evidence, and for each person listed, please identify the subject matter of their knowledge and provide a brief description of their knowledge.

RESPONSE:

19. When and how did you (or your agents) become aware of the recent fungal meningitis outbreak?

RESPONSE:

20. When and how did you (or your agents) become aware that you had received contaminated medication from NECC and how did you respond to that information?

RESPONSE:

21. Describe when and how you began contacting patients after learning of the fungal meningitis outbreak.

RESPONSE:

22. Has Saint Thomas Neurosurgical conducted business operations or administered epidural steroid injections since it closed on September 20, 2012? If so, please state the date upon which Saint Thomas Neurosurgical resumed operations, and describe the current nature of its operations.

RESPONSE:

23. Please explain in detail all actions that you took in order to preserve evidence in connection with the fungal meningitis outbreak.

RESPONSE:

24. Describe in complete detail the business structure of Saint Thomas Neurosurgical including but not limited to:

- a) provide the names and job title of each officer of Saint Thomas Neurosurgical;
- b) provide the name of each manager of Saint Thomas Neurosurgical;

- c) provide the name of each owner or member of Saint Thomas Neurosurgical;
- d) identify all contracts, agreements, cost-sharing arrangements, profit-sharing arrangements, and patient referral arrangements existing between or among Saint Thomas Neurosurgical and Howell Allen Clinic, St. Thomas Hospital, Saint Thomas Network, Saint Thomas Health and/or Saint Thomas Health Services;
- e) describe in detail all financial arrangements that presently exist or have previously existed between or among Saint Thomas Neurosurgical and Howell Allen Clinic, St. Thomas Hospital, Saint Thomas Network, Saint Thomas Health and/or Saint Thomas Health Services; and
- f) identify and describe every lease for space occupied by Saint Thomas Neurosurgical.

RESPONSE:

25. Please explain how Saint Thomas Neurosurgical charged patients and/or their insurers for epidural steroid injections in 2012. Specifically, list the rate that Saint Thomas Neurosurgical charged the following payors for epidural steroid injections:

- a) Medicare;
- b) BlueCross BlueShield of Tennessee;
- c) United Healthcare;
- d) Tricare;

- e) Aetna;
- f) CIGNA;
- g) Humana;
- h) TennCare;
- i) uninsured patients; and
- j) patients paying out of pocket toward a deductible.

RESPONSE:

**Dated: October 9, 2013**

/s/ J. Gerard Stranch, IV

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*Plaintiffs' Steering Committee*

**CERTIFICATE OF SERVICE**

I, J. Gerard Stranch, IV, hereby certify that on the 9th day of October, 2013, the foregoing document was served via hand delivery (\*), electronic mail (\*\*), and/or U.S. Mail, postage prepaid, on the following counsel:

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/s/ J. Gerard Stranch, IV  
J. Gerard Stranch, IV

VERIFICATION

STATE OF TENNESSEE )

COUNTY OF \_\_\_\_\_ )

I, \_\_\_\_\_, swear or affirm that the answers to interrogatories contained above are true, complete and accurate. I also understand that it is my duty to promptly notify my attorney should I later learn that any of these answers are incomplete, inaccurate or misleading. I further certify that I have provided my attorneys with all documents requested.

By: \_\_\_\_\_

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

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Notary Public

My Commission Expires: \_\_\_\_\_